



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/NS/MCM
F. #2019R00029

*271 Cadman Plaza East
Brooklyn, New York 11201*

November 18, 2020

By ECF

The Honorable Ann M. Donnelly
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Robert Sylvester Kelly
Criminal Docket No. 19-286 (S-3)

Dear Judge Donnelly:

On behalf of all of the parties in the above-referenced case, the government respectfully submits this letter in connection with the Court's Order, dated November 12, 2020, to update the Court on the proposed trial date and schedule for completing juror questionnaires and *voir dire*. The parties propose the following schedule:

March 15, 2021 to March 25, 2021:¹ Distribution of juror questionnaires

April 6, 2021: *Voir Dire*

April 7, 2021:² Trial commences

¹ Assuming the Court assembles 60 prospective jurors each day (with 30 prospective jurors at a morning session and 30 prospective jurors at an afternoon session), it would take 8.5 days for 500 jurors to receive and complete questionnaires.

² This is a placeholder date. The parties propose that opening statements and trial testimony begin on the morning following the completion of *voir dire*.

The government further requests that the Court exclude time between January 4, 2021 and April 6, 2021 from the Speedy Trial Clock. Such an exclusion is warranted in the interests of justice in light of the ongoing COVID-19 pandemic, defense counsel's conflict with a proposed trial date in January 2021 and to allow the defense adequate time to prepare for trial. The defense has no objection to this request.

Respectfully submitted,

SETH D. DUCHARME
Acting United States Attorney

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cc: Clerk of Court (AMD) (by ECF)
All defense counsel of record (by ECF)